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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,420	03/07/2002	Manuel Nedbal	01.285.01	7937
7590	12/23/2005		EXAMINER	
Zilka-Kotab, PC P.O. Box 721120 San Jose, CA 95172-1120			LIN, KELVIN Y	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 12/23/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/092,420

Applicant(s)

NEDBAL ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 9-12, 14-21, 26-29, 31-38, 43-46 and 48-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-12, 14-21, 26-29, 31-38, 43-46 and 48-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **Detailed Action**

### ***Response to Arguments***

1. Applicant's arguments with respect to Claims 1-4, 9-12, 14-21, 26-29, 31-38, 43-46, and 48-54 have been considered but are moot in view of the new ground(s) of rejection.

2. Applicant argues that Uszok failed to pass "if said target process is available to said target computer to pass at least a portion of said operation specifying data from said agent process to said target process".

The Office respectfully disagrees.

Referring to Fig. 4, and [0079], l. 1-15, and [0080], l.1-8, the plug-in is available to the target computer (botServer) and the plug-ins can be configured so that they have the same ID on every server. Also, plug-ins can be installed by botServer manager (which is the agent process) communicates with other plug-ins and bots via botServer manager using messages. Therefore, the plug-in can be passed from the agent process (botServer manager) to target process (plug-in manager), and both agent, and target processes are performed at the same target computer (botServer).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2142

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 9-12, 14-21, 26-29, 31-38, 43-46, and 48-54 are rejected under 35 U.S.C 103(a) as being unpatentable over Uszok et al., (U.S. PG Pub. No. 2004/0205772) in view of Kouznetsov et al., (US Patent No. 6931546). Claims 5-8, 13, 22-25, 30, 39-42, and 47 are canceled as applicant requested.

2. Regarding claim 1, Uszok teaches a computer program product for controlling a target computer to perform an operation in response to data received from an initiating computer (Uszok, [0009], I.1-11, [0054], I.13-19, fig.9, two agents, sBot and mBot, reside in botServer, and botMaster, respectively, and an initiating computer, botMaster, both agents are implemented as a separate executable program ), said computer program product comprising:

- agent process code operable to execute on said target computer to provide an agent process to : receive at an agent process executing on said target computer autonomously generated operation specifying data sent from said initiating computer to said target computer (Uszok, [0050], I.1-9, [0054], I.13-25, [0055], I.4-9, botServer corresponds to the target computer);
- read from said operation specifying data an identifier of a target process for performing said operation (Uszok, [0054], I.13-25, [0057], I.1-7, each sBot and mBot have knowledge of their sibling common

globally unique identifier); and

- if said target process is available to said target computer to pass at least a portion of said operation specifying data from said agent process to said target process (Uszok, [0079], I.1-15, [0080], I.1-8); and
- target process code operable to provide one or more target processes for performing operations in response to operation specifying data, said one or more target processes being provided at said target computer independently of said agent process (Uszok, [0079], I.1-15, [0083], I.1-8, [0084], I.1-1-6, in which the target processes Plug-ins and Security Registry corresponds to the one or more target processes are provided at the target computer (botServer) and the botServer manager corresponds to the agent process);
- wherein said operation performed includes configuration said target computer to execute a computer program (Uszok, [0144], I. 1-13 in which the sBot an process in the target computer can be configured to clone a new server to perform the botServer functions);

Uszok teaches limitations about the agent process, and target process, but fails to teach the map the configuration data to the data store of said target computer .

However, Kouznetsov teaches:

- wherein said target process (request a initialization ) is operable to map configuration data specified within said operation specifying data to a configuration data store of said target computer; wherein said configuration data store is one of : a Window Registry entry, an INI file, a DAPI store, and a database entry, (Karanam, col.9, I.59-65, col.12, I.9-20, in which the initialization file embedded in the file corresponds to map the configuration specified within (embedded) said operation using .ini files);

It would have been obvious to one ordinary skilled in the art at the time of invention by incorporating Kouznetsov's system configuration file update , which initializes and performs code updating involving the operating system with Uszok's BotBox setup. (Uszok, [0068], I.4-10) because both are using the communication message from browser (GUI) to request initialization on a botServer.

The motivation would be that the combination of Kouznetsov and Uszok's structure by implementing Kouznetsov's system initialization to update the configuration with the authorization for installation under the privileged mode (Kouznetsov , col.4, I. 45-50) for remote system. With Uszok's security registry capability (Uszok, [0084], I.1-5) it will increase the security level and prevent un-authorize user from intruding the system.

- wherein said identifier of a target process includes at least one of:
  - data specifying a computer file operable to trigger said target process;
  - data specifying a communication channel operable to

trigger said target process; and data specifying an operating system command operable to trigger said target process. (Uszok, [0068], I.3-10, using the communication channel to trigger the BotBox initialization)

3. Regarding claim 2, Uszok further discloses a computer program product as claimed in claim 1, wherein said operation specifying data is passed from said initiating computer to said target computer as XML data (Uszok, [0014], I.11).
4. Regarding claim 3, Uszok further discloses a computer program product as claimed in claim 2, wherein said operation specifying data represents a target process as a complex data type within said XML data (Uszok, [0065], I.1-14).
5. Regarding claim 4, Uszok further discloses a computer program product as claimed in claim 3, wherein parameter data used by a target process is represented by data within said complex data type of said target process (Uszok, [0069], [0077], [0088]).
6. Regarding claim 9, Uszok further discloses a computer program product as claimed in claim 1, wherein said operation specifying data includes parameter data used by said target process in said operation (Uszok, [0070], I. 18-20).
7. Regarding claim 10, Uszok further discloses a computer program product as claimed in claim 1, wherein said operation includes returning result data from said target computer to said initiating computer in dependence upon said operation performed by said target process (Uszok, [0009], I.7-9, [0070], I. 1-22, [0093], I.1-12).

8. Regarding claim 11, Uszok further discloses a computer program product as claimed in claim 10, wherein said result data includes data specifying existing configuration data of said target computer (Uszok, [0122], I.1-2, which profile corresponds to configuration data) .
9. Regarding claim 12, Uszok further discloses a computer program product as claimed in claim 11, wherein said target process is operable to map existing configuration data of said target computer stored within a configuration data store of said target computer to said result data to be returned to said initiating computer (Uszok, [0100], I.1-15),
10. Regarding claim 14, Uszok further discloses a computer program product as claimed in claim 12, wherein said result data is passed from said target computer to said initiating computer as XML data (Uszok, [0088], [0128])..
11. Regarding claim 15, Uszok further discloses a computer program product as claimed in claim 1, wherein said operation includes returning result data from said target computer to said initiating computer independence upon whether or not said target process is available to said target computer (Uszok, [0050], [0068]).
12. Regarding claim 16, Uszok further discloses a computer program product as claimed in claim 1, wherein an operation that may be performed by said target computer includes installing a new target process (Uszok, [0083], I.1-8).
13. Regarding claim 17, Uszok further discloses a computer program product as claimed in claim 1, wherein said operation specifying data is validated by said



- target computer by comparing with a template defining valid data (Uszok, [0073], I.14-21).
14. Regarding claims 18-21, 26-29, 31-34 have similar limitations as claims 1-4, 9-12, 14-17. Therefore, claims 18-21, 26-29, 31-34 are rejected for the same reasons set forth in the rejection of claims 1-4, 9-12, 14-17.
  15. Regarding claims 35-38, 43-46, 48-51 have similar limitations as claims 1-4, 9-12, 14-17. Therefore, claims 35-38, 43-46, 48-51 are rejected for the same reasons set forth in the rejection of claims 1-4, 9-12, 14-17.
  16. Regarding claim 52, Kouznetsov further discloses a computer program product as claim 1, further comprising validating a said operation specifying data received at said agent process against schema data, where said schema data is sent to said agent process from said initiating computer at the same time as said operation specifying data (Kouznetsov, col.7, I.24-32, in which the validation is required for the initialization as mention at claim 1 above).
  17. Regarding claim 53, Kouznetsov further discloses a computer program product as claim 1, further comprising validating a said operation specifying data received at said agent process against schema data, where said schema data is present in said agent process when said operation specifying data is sent (Kouznetsov, col.10, I.48-63, in which the authenticate processes the configuration file which is in using and performs validation on this file).
  18. Regarding claim 54, Kouznetsov further discloses a computer program product as claim 1, further comprising parsing said operation specifying data after

validating said operation specifying data to extract at least one identifier for mapping said at least one identifier to an available target process (Kouznnetsov, col.7, l.27-32, in which the authenticode procedures accessed via a separate authentication module from the digital certificate and retrieve the digital signature, corresponds to parse and performs the authentication and validation functions ).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action, Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first replay is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTH** from the date of this final action.

Art Unit: 2142

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12/20/05  
KYL

A handwritten signature in black ink that reads "Andrew Caldwell". The signature is stylized with a large, looped "A" and a cursive "C" at the end.

**ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER**